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8 UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 ERIC KITAZI,

11 Plaintiff,

12 v.

13 SELLEN CONSTRUCTION  
14 COMPANY INC, a corporation;  
15 ROBERT P. McCLESKEY, Director in  
his individual and corporate capacities  
and on behalf of his marital community  
with JANE DOE McCLESKEY,

16 Defendants.  
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CASE NO. C16-1651-MJP

ORDER GRANTING PLAINTIFF'S  
MOTION FOR ATTORNEYS' FEES

18 THIS MATTER comes before the Court on Plaintiff's Motion for attorneys' fees. (Dkt.  
19 No. 87.) The Court has considered the Motion, the Response (Dkt. No. 98), the Reply (Dkt. No.  
20 101) and all related papers.

21 Plaintiff seeks an award of \$227,782.50 in fees to compensate counsel for their time on  
22 this matter. (See Dkt. No. 87.) Plaintiff's counsel submit that they are entitled to the following  
23 hourly billing rates: \$475.00 per hour for Beverly Grant; \$275.00 per hour for Elizabeth Lunde;  
24 \$425.00 per hour for Patricia Rose; and \$100.00 per hour for Carla Sullivan. (Id.) Plaintiff's

1 counsel also request a lodestar multiplier of .5. (Id.) In addition, Plaintiff seeks costs in the  
2 amount of \$21,046.03. (Id.) Defendant argues that because Plaintiff prevailed only on his  
3 hostile work environment and retaliation claims, the fee award should be reduced  
4 proportionately. (See Dkt. No. 98.)

5 The Court finds that, having prevailed on his claims for hostile work environment and  
6 retaliation, and having been awarded substantial non-economic damages by a unanimous jury,  
7 Plaintiff is the prevailing party under Title VII, 42 U.S.C. § 2000(e) et seq. and the Washington  
8 Law Against Discrimination, RCW 49.60.030(2). The Court therefore declines to grant  
9 Defendant's request for a proportionate reduction.


10 The Court further finds that this case involved a relatively straightforward fact pattern.  
11 Plaintiff called only two witnesses at trial, and presented few exhibits to the jury. The law  
12 regarding employment discrimination is well-settled, and is clearly set forth in state and federal  
13 pattern jury instructions. Because counsel's hourly rates are ample compensation for their efforts  
14 in this case, the Court declines to grant Plaintiff's request for a lodestar multiplier.

15 The Court further reduces Ms. Rose's hourly rate to \$350.00 to reflect her 2014-2017 rate  
16 as set forth in her declaration. (See Dkt. No. 93 at ¶ 9.)

17 Accordingly, the Court ORDERS as follows: Defendant Sellen Construction Company,  
18 Inc. is hereby ORDERED to pay Plaintiff attorneys' fees in the amount of \$148,422.50. The  
19 Court will not take up the request for costs, but advises Plaintiff to file a separate Bill of Costs  
20 with the clerk within five (5) days, pursuant to Local Rule 54.

21 The clerk is ordered to provide copies of this order to all counsel.  
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1 Dated January 31, 2018.

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4 Marsha J. Pechman  
5 United States District Judge  
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